

EXHIBIT E

Pages 1 - 77

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Yvonne Gonzalez Rogers, Judge

IN RE: SOCIAL MEDIA ADOLESCENT)
ADDICTION/PERSONAL INJURY)
PRODUCTS LIABILITY LITIGATION.)) **NO. C 22-MD-03047-YGR**
)
_____)San Francisco, California
Friday, January 26, 2024**TRANSCRIPT OF PROCEEDINGS****APPEARANCES:**

For Plaintiffs:

SEEGER WEISS, LLP
55 Challenger Road, 6th Floor
Ridgefield Park, NJ 07660
BY: CHRISTOPHER SEEGER, ESQ.
JENNIFER R. SCULLION, ESQ.
CHRISTOPHER L. AYERS, ESQ.SEEGER WEISS, LLP
100 Church Street
New York, NY 10007
BY: ERICA KUBLY, ESQ.Lieff, Cabraser, Heimann and Bernstein
275 Battery Street, 29th Floor
San Francisco, CA 94111
BY: LEXI J. HAZAM, ESQ.
PATRICK I. ANDREWS, ESQ.REPORTED REMOTELY BY: Stephen W. Franklin, RMR, CRR, CPE
Official United States Reporter

APPEARANCES (Cont.'d) :

For Plaintiffs:

LIEFF, CABRASER, HEIMANN AND BERNSTEIN
250 Hudson Street, 8th Floor
New York, NY 10013

BY: JASON L. LICHTMAN, ESQ.
GABRIEL A. PANEK, ESQ.

MOTLEY RICE, LLC
401 9th Street Northwest, Suite 630
Washington, DC 20004

BY: PREVIN WARREN, ESQ.

MOTLEY RICE, LLC
28 Bridgeside Boulevard
Mt. Pleasant, SC 29464

BY: ANNIE KOUBA, ESQ.

ANDRUS ANDERSON, LLP
155 Montgomery Street, Suite 900
San Francisco, CA 94104

BY: JENNIE L. ANDERSON, ESQ.

SOCIAL MEDIA VICTIMS LAW CENTER, PLLC
520 Pike Street, Suite 1125
Seattle, WA 98101

BY: MATTHEW P. BERGMAN, ESQ.

BERGMAN DRAPER LADENBURG
614 1st Avenue, 4th Floor
Seattle, WA 98104

BY: GLENN S. DRAPER, ESQ.

WEITZ AND LUXENBERG, P.C.
700 Broadway
New York, NY 10003

BY: JAMES J. BILSBORROW, ESQ.

C.A. GOLDBERG, PLLC
16 Court Street, 33rd Floor
Brooklyn, NY 11241

BY: CARRIE GOLDBERG, ESQ.

WALSH LAW, PLLC
14 Ridge Square Northwest, Third Floor
Washington, DC 20016

BY: ALEXANDRA M. WALSH, ESQ.

APPEARANCES (Cont.'d) :

For Plaintiffs: SIMMONS HANLY CONROY, LLC
One Court Street
Alton, IL 62002

BY: JAYNE CONROY, ESQ.

KESSLER, TOPAZ, MELTZER, AND CHECK, LLP
280 King of Prussia Road
Radnor, PA 19087

BY: MELISSA L. YEATES, ESQ.

LEVIN, SEDRAN AND BERMAN, LLP
510 Walnut Street, Suite 500
Philadelphia, PA 19106

BY: MICHAEL M. WEINKOWITZ, ESQ.

BRUSTER, PLLC
680 North Carroll Avenue, Suite 110
Southlake, TX 76092

BY: EDWARD K. CHIN, ESQ.

COLORADO DEPARTMENT OF LAW
1300 Broadway, 6th Floor
Denver, CO 80203

BY: BIANCA MIYATA, ESQ.
ELIZABETH A. OREM, ESQ.

MEGAN O'NEILL
455 Golden Gate Avenue, 11th Floor
San Francisco, CA 94102

BY: MEGAN O'NEILL, ESQ.

CALIFORNIA DEPARTMENT OF JUSTICE
1515 Clay Street, Suite 2000
Oakland, CA 94612

BY: JOSHUA E. OLSZEWSKI-JUBELIRER, ESQ.

CALIFORNIA DEPARTMENT OF JUSTICE
CONSUMER PROTECTION SECTION
300 South Spring Street
Los Angeles, CA 90013

BY: MARISSA ROY, ESQ.

KENTUCKY OFFICE OF THE ATTORNEY GENERAL
OFFICE OF CONSUMER PROTECTION
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601

BY: JOHN C. LEWIS, ESQ and DANIEL KEISER, ESQ.

APPEARANCES (Cont.'d) :

For Plaintiffs:

NEW JERSEY OFFICE OF THE ATTORNEY GENERAL
DIVISION OF LAW
124 Halsey Street, P.O. Box 45029
Newark, NJ 07102

BY: THOMAS HUYNH, ESQ.

GIBBS LAW GROUP, LLP
1111 Broadway, Suite 2100
Oakland, CA 94607

BY: ANDRE M. MURA, ESQ.

For Defendants:

COVINGTON AND BURLING, LLP
One City Center, 850 Tenth Street, Northwest
Washington, DC 20001

BY: PAUL W. SCHMIDT, ESQ.

COVINGTON AND BURLING, LLP
1999 Avenue of the Stars, Suite 3500
Los Angeles, CA 90067

BY: ASHLEY M. SIMONSEN, ESQ.

MUNGER, TOLLES AND OLSON, LLP
560 Mission Street, 27th Floor
San Francisco, CA 94105

BY: JONATHAN H. BLAVIN, ESQ.

KING & SPALDING, LLP
1180 Peachtree Street, Northeast, Suite 1600
Atlanta, GA 30309

**BY: GEOFFREY DRAKE, ESQ.
TaCARA D. HARRIS, ESQ.**

FAEGRE, DRINKER, BIDDLE & REATH, LLP
300 North Meridian Street, Suite 2500
Indianapolis, IN 46204

BY: ANDREA PIERSON, ESQ.

Faegre, Drinker, Biddle & Reath, LLP
90 South 7th Street, Suite 2200
Minneapolis, MN 55402

BY: AMY R. FITERMAN, ESQ.

APPEARANCES (Cont.'d) :

For Defendants:

WILSON, SONSINI, GOODRICH & ROSATI
1301 Avenue of the America, 40th Floor
New York, NY 10019

BY: BRIAN M. WILLEN, ESQ.

WILSON, SONSINI, GOODRICH & ROSATI
953 East Third Street, Suite 100
Los Angeles, CA 90013

BY: MATTHEW DONOHUE, ESQ.

1 The third point is the studies themselves. As we noted in
2 our letter briefs, the studies themselves recognize how
3 contested this issue will be. They recognize the challenge
4 that plaintiffs' experts, particularly under the new Rule 702,
5 will face in meeting their burden as to relying on their
6 testimony.

7 **THE COURT:** In terms of you say the new Rule 702, 702
8 was amended to make it clear to district judges what the rule
9 actually is.

10 **MR. SCHMIDT:** Yes.

11 **THE COURT:** And was. Substantively it hasn't
12 changed.

13 **MR. SCHMIDT:** Yes.

14 **THE COURT:** It was encouraging us to do more.

15 I have to say that in this district our judges were doing
16 it anyway.

17 **MR. SCHMIDT:** Yes.

18 **THE COURT:** And so I don't think in my view it's
19 changed.

20 **MR. SCHMIDT:** Well, that's a really fair point, Your
21 Honor. I absolutely agreed with how Your Honor framed the
22 rule. I think what the rule does do is it underscores how
23 important this issue is, but it also speaks to some of the case
24 law that the plaintiffs cite in their brief. Like they cite a
25 case called *Kocher* (phonetic) that's I think 16 years ago or

1 Okay. All right. Thank you. We're adjourned.

2 **THE COURTROOM DEPUTY:** Court is adjourned in this
3 matter.

4 (Proceedings concluded at 11:15 a.m.)

5 ---o0o---

6 **CERTIFICATE OF REPORTER**

7 I certify that the foregoing is a correct transcript
8 from the record of proceedings in the above-entitled matter.

9
10 DATE: Friday, February 2, 2024

11
12 
13

14 Stephen W. Franklin, RMR, CRR, CPE
15 Official Reporter, U.S. District Court
16
17
18
19
20
21
22
23
24
25